

Docket No. AB-131U

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Faltys, et al.	<b>Certificate of Transmission</b>  I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (703) 305-3590  on this date: <u>February 6, 2004</u>  Typed Name: <u>Rose Avila</u>  Signature: <u>Rose Avila</u>  Date: <u>2/6/2004</u>  <b>RECEIVED CENTRAL FAX CENTER</b>
Appl. No.:	09/823,271	
Filed:	March 30, 2001	
Title:	High Contact Count, Sub-Miniature, Fully Implantable Cochlear Prosthesis	
Art Unit:	3762	
Examiner:	Droesch, Kristen L.	

OFFICIAL

FEB 06 2004

Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

## AMENDMENT B

Dear Examiner:

This amendment responds to the Office action mailed August 29, 2003 for the subject application, in which Claims 1-4, 7-18 and 27-32 were rejected; Claims 23-26 were indicated as being withdrawn; and Claims 5-6 and 19-22 were objected to.

By way of the present amendment, Claims 1, 6, 16, 20 and 27 have been amended, Claims 2-5 and 17-19 have been canceled, and new claims 33-37 have been added. Thirty claims remain pending in the application, Claims 1, 6-16, and 20-37, of which Claims 1, 16, 27, 33 and 36 are independent.

A fee in the amount of \$ 172.00 under 37 CFR 1.16(b) [Fee Code 1201] is submitted herewith for two new additional independent claims not previously paid for. An extension fee in the amount of \$950.00 under 37 CFR 1.17(a)(2) [Fee Code 1252] is also submitted herewith for submitting a response within the second month of a shortened statutory period.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.

Reconsideration of the above-identified application, in view of the amendments and remarks below is respectfully requested.

Application No. 09/823,271  
Amendment B dated February 6, 2004  
Reply to Office action of August 29, 2003

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